

United States District Court
Western District Of Michigan
Southern Division

United States of
America,

Hon. Paul L. Maloney

Plaintiff,

vs.

Case No. 1:18-CR-167

Ryan Brown,

Defendant.

/

**WAIVER OF SIXTH AMENDMENT RIGHT TO JURY TRIAL ON ISSUE OF SERIOUS
DRUG FELONY AS UNDERLYING PREDICATE FOR STATUTORY PENALTY
ENHANCEMENT**

I, Ryan Brown, understand that I have a right pursuant to the United States Constitution, Amendment VI, to be tried by an impartial jury on the charges brought against me, including the allegation in the government's superseding indictment (ECF No. 818) under Count 1 and Count 12, that I had a "*final conviction for a serious drug felony, namely, a conviction under Michigan Compiled Laws § 333.7401(2)(a)(iv), on or about May 5, 2003, in the 17th Circuit Court of Michigan, for Controlled Substance-Delivery/Manufacture of Cocaine Less Than 50 Grams, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of commencement of the instant offense.*" (ECF No. 818, PageID.4823, PageID.4835).

My attorney and I have discussed this matter and I believe it is in my interest to waive my right to a jury trial on the stated allegation regarding a prior conviction only, preserving my right to a jury trial as to all other charged offenses.

I voluntarily agree to waive my right to jury for this purpose only, with a full understanding that, in the event of a verdict of guilty following jury trial as to Count 1 and/or Count 12, the issue of whether I was convicted of a "serious drug felony", pursuant to 21 U.S.C. §841(b)(1)(B), will be presented for adjudication separately before the Honorable Paul L. Maloney. I further understand that, other than my right to a jury trial on the issue over an alleged prior "serious drug felony", I am not waiving any other constitutional rights I may have to trial before the court on the issue over my alleged "serious drug felony".

Date: 10-22-19

Ryan Brown

Ryan Brown
Defendant

Date: 10/23/2019

JKS

John Karafa
Attorney for Ryan Brown

Date: 10/23/2019

KZ/DGM

Kate Zell
Dan McGraw
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